IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITON NO.151 OF 2005

M/s. Safire Hotel Pvt. Ltd. ..Petitioner.

V/s.

T.R.Sekhar Naidu, Asstt. Commissioner of Income-Tax, Hyderabad. ..Respondent.

Mr.Atul K.Jasani for petitioner.

Mr.Anil Agarwal i/b.Mustafa S.Motiwala for respondent.

CORAM : H.L.GOKHALE AND J.P.DEVADHAR, JJ.

DATED : 12TH DECEMBER, 2005.

P.C. :-

Heard Mr.Jasani appearing for the petitioner tenders a letter dated 29th July, 2005 from the Dy.Commissioner of Income Tax, Circle 16(3), Hyderabad that informing the petitioner that the notice of attachment under section 226(3) of the Income Tax Act in connection with the recovery of the taxes is withdrawn. In view of this, there is no cause of action for the petition. Mr.Jasani seeks permission to withdraw the petition. Petitioner is allowed to be withdrawn.

(H.L.GOKHALE, J.)

(J.P.DEVADHAR, J.)